

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 NEA-10 ISO-00 L-03 CAB-09 CIAE-00

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FM AMEMBASSY ATHENS

TO SECSTATE WASHDC 3191

INFO AMEMBASSY BEIRUT

LIMITED OFFICIAL USE ATHENS 2479

E.O. 11652: N/A

TAGS: ETRN, GR

SUBJ: CIVAIR: GREEK LAW PROVIDING FOR PROSECUTION
OF PILOTS IN AIRPLANE ACCIDENTS

BEIRUT (RCAA)

REF: STATE 80002

1. EMBASSY INQUIRIES AT GREEK CAA, OLYMPIC AIRWAYS AND UNION
OF CIVIL AVIATION PILOTS HAVE ESTABLISHED FOLLOWING:

A. SUBJECT HAS CONCERNED DIFFERENT GREEK GOVT AND
OFFICIAL AGENICES IN PAST SEVERAL MONTHS.

B. GREEK CAA IS IN PROCESS OF ANSWERING QUERY FROM
INTERNATIONAL FEDERATION OF AIR LINE PILOTS ASSOCIATIONS.

C. GREEK GOVT HAS PROMISED TO AMEND CONTROVERSIAL
LEGISLATION BUT HAS SET NO DEADLINE FOR DOING SO.

D. RELEVANT LEGISLATION IN FORCE IN US AND OTHER COUNTRIES
REPORTEDLY TAKEN INTO CONSIDERATION IN FORMULATING NEW
LEGISLATION. HOWEVER, FOREIGN LEGISLATION WOULD BE
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ADAPTED TO GREEK LEGAL AND JUDICIAL CONDITIONS. PILOT

PROSECUTION LEGISLATION BEING DRAFTED EXPECTED TO BORROW SUBSTANTIALLY FROM LEGISLATION GOVERNING INVESTIGATION OF MARITIME ACCIDENTS (LEGISLATIVE DECREE 712 OF 1970) WHICH PROVIDED FOR OPERATION OF MARITIME ACCIDENTS COMMISSION OF INQUIRY HEADED BY A SUPREME COURT JUDGE AND COMPRISING FOUR OTHER MEMBERS;; SNEIOR COAST GUARD OFFICER, SENIOR NAVY OFFICER, SHIPOWNER AND MARITIME OFFICER. THIS COMMISSION INVESTIGATES MARITIME ACCIDENTS AND SUBMITS ITS REPORT TO MINISTER OF MERCHANT MARINE WHO TRANSMITS A COPY TOGETHER WITH CASE FILE TO PROSECUTING JUDGE, THE LATTER INSTITUTING CRIMINAL PROCEEDINGS. THE REPORT OF MARITIME ACCIDENTS COMMISSION OF INQUIRY IS NOT BINDING ON THE JUDGING MAGISTRATE BUT CONSTITUTES PART OF EVIDENCE. EMBASSY UNDERSTANDS GREEK PILOT'S UNION WOULD GO ALONG WITH A COMMISSION OF INQUIRY HEADED BY A JUDGE, PROVIDED IT WOULD COMPRISE GREEK CAA EXPERTS AND PILOT'S REPRESENTATIVES.

E. DRAFTING OF LEGISLATION AND ITS ENACTMENT MAY TAKE SOME TIME, SINCE GREEK CAA CONSIDERS INCORPORATING IT IN OVERALL CODIFICATION OF CIVIL AVIATION LAW CURRENTLY BEING DRAFTED BY AD HOC COMMITTEE.

2. EMBASSY WILL CONTINUE INVESTIGATING MATTER AND, UNLESS OTHERWISE INSTRUCTED, PLANS VISIT WITH CAA GOVERNOR AND/OR DEPUTY TRANSPORT MINISTER TO EXPRESS CONCERN AS IT AFFECTS US PILOTS.

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